SO ORDERED:
Respondent is directed to respond to this application by April 15, 2022.

Judith C. McCarthy 4-8-22
JUDITH C. McCARTHY
United States Magistrate Judge

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN SMITH

(List the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

UNITED STATES

(List the full name(s) of the defendant(s)/respondent(s).)

18 CV 3371 (jcm) ( )

Application for the Court to Request Pro Bono Counsel

I ask the Court to request a *pro bono* attorney to represent me in this action. In support of my application, I declare under penalty of perjury that the following information is true and correct:

1. Have you previously filed a "Request to Proceed in Forma Pauperis" (an IFP application)? Please check the appropriate box below:

[X] I have previously filed an IFP application in this case, and it is a true and correct representation of my current financial status.

[ ] I have not previously filed an IFP application in this case and now attach an original IFP application showing my financial status.

[ ] I have previously filed an IFP application in this case, but my financial status has changed. I have attached a new IFP application showing my current financial status.

2. Explain why you need an attorney in this case. (Please note that requests for pro *bono* counsel are rarely granted at the early stages of a case and usually not before the Court has issued a decision on the merits of the case.) If you asked for an attorney earlier in this case, please also explain what has changed since you last asked for an attorney.

There are several reasons why I need pro bono counsel in this case: A) I am at the stage where I submitted the first set of interrogatories to the government; and submitted the "FIRST REQUEST FOR PRODUCTION OF DOCUMENTS" to the government. The documents were served to the government on or about Nov. 9, 2021.
B) The government has responded to the aforesaid interrogatories on Mar. 18, 2022; and
C) The government has provided a report from the government's expert, Charles L. Bardes, MD, board certified in internal medicine.
D) At his level of complexity I am out of my depth to prosecute the case.

3. Explain what steps you have taken to find an attorney and with what results. (Please identify the lawyers, law firms or legal clinics you have contacted and their responses to your requests. If you have limited access to the telephone, mail, or other communication methods, or if you otherwise have had difficulty contacting attorneys, please explain.)

This is the first attempt to obtain pro bono counsel, for I had intended to prosecute the case on a pro se basis, but realize being incarcerated by the Defendant adds complications, and the complexity of medical testimony has put me at a significant disadvantage.

4. If you need an attorney who speaks a language other than English, state what language(s) you speak: not applicable.

5. I understand that if an attorney volunteers to represent me and that attorney learns that I can afford to pay for an attorney, the attorney may give this information to the Court.

6. I understand that even if the Court grants this application, I will receive *pro bono* counsel only if an attorney volunteers to take my case and that there is no guarantee that an attorney will volunteer to represent me.

7. I understand that if my answers on this application or in my IFP application are false, my case may be dismissed.

April 5, 2022
Date

John Smith
Signature

Smith, John
Name (Last, First, MI)

04527-748
Prison Identification # (if incarcerated)

P.O. Box 379
Address

Fairton,
City

NJ
State

08320
Zip Code

Not available
Telephone Number

Not available
E-mail Address (if available)

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JOHM SMITH
FED. REG. NO. 04527-748
P.O. BOX 379
FAIRTON, NJ 08320

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SDNY

SOUTH JERSEY NJ 080
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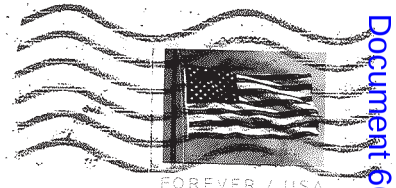

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